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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,399	12/31/2003	Joakim Gripemark	03370-P0069A	8990

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STAMFORD, CT 06905-5619

EXAMINER

BUTLER, DOUGLAS C

ART UNIT PAPER NUMBER

3683

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/750,399

Applicant(s)

GRIPEMARK, JOAKIM

Examiner

Douglas C. Butler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/31/2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
2. The submitted Search Report and submitted prior art have been considered.
3. Claim 1, line 6 "integrate" should be changed to --integrated--.
4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the features of the "one or more brake discs" of claim 1, line 2; "the fixed caliper" of claim 1, line 1 and the "bearing means" of claim 4, line 2 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will

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be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over either one of the references WO93/14947 to Dagb et al <sup>or Heuberger et al</sup> in view of Casey (4844206).

Applicant should note that the examiner has requested a translation of DE 19642166 <sup>to Heuberger et al</sup> from STIC within the USPTO and intends to attach a translation with the next office action, if available. Should applicant obtain a translation independently of the USPTO, a copy of it should be forwarded to the examiner for inclusion in the file.

Each <sup>one</sup> of the principal references to Heuberger et al or Dagb et al discloses the invention substantially as claimed but each does not appear to disclose the feature directed to a fixed caliper with axial moveable disc or discs.

The secondary reference to Casey discloses a fixed caliper with moveable disc or discs.

It would be obvious at the time the invention was made to one having ordinary skill in the art to which the invention pertains to modify each of the principal references to utilize a fixed caliper with slideable disks as opposed to using a slideable or floating

caliper as taught by Casey since such modification involves replacing one well known type of brake caliper with an equivalent type of brake caliper.

The assemblies operate in substantially the same manner with substantially the same effect. The use of a fixed caliper is sometimes beneficial since it uses fewer parts thus reducing costs. It is notoriously old to use brake disks that are keyed or splined to a sleeve or housing for brake actuation and for facilitated brake maintenance.

Integrated hubs and sleeves on which brake disks slide are common.

7. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dagh et al (5507367) or Bodin et al (5540303) or Dagh et al (5568846) or Dagh et al (6330937) or Gotti et al (US2004/50632A1) in view of Casey (4844206).

Gotti et al has an effective date of 11-27-2001.

Each one of the principal references discloses the invention as claimed with the exception of the use of a "fixed caliper".

It would have been obvious at the time the invention was made to one having ordinary skill in the art to which the invention pertains to modify each of the principal references to utilize a fixed caliper with slideable disks as opposed to using a slideable or Casey floating caliper as taught by Casey since such modification involves replacing one well known type of brake caliper with an equivalent type of brake caliper.

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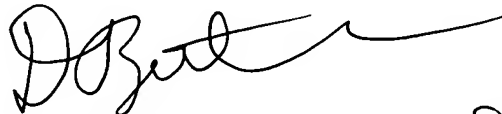
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pr a sleeve or housing for <sup>brake</sup> ~~bake~~ actuation and for facilitate brake maintenance. See  
column 1, lines 6-9 of Casey.

8. Any inquiry concerning this communication should be directed to Exmr. Butler at  
telephone number 703-308-2575.

Butler/vs  
August 17, 2004



DOUGLAS C. BUTLER  
PRIMARY EXAMINER

AU 3683

8/20/04